

TYPE II REVIEW/OPTIONAL SEPA AND LIKELY DETERMINATION OF NON-SIGNIFICANCE

(Form DS1301B)



NOTICE OF DEVELOPMENT REVIEW APPLICATION (Type II) AND LIKELY SEPA DNS

The Clark County Department of Community Development has received an application for development review, as described below. This application is subject to public notice and administrative review (no public hearing) conducted pursuant to Clark County Code (CCC) Chapter 40.500, and other applicable laws as listed below. The County, as SEPA lead agency, expects to issue a **Determination of Non-Significance (DNS)**.

Project Name: 134th Street Restaurant

Case Number: PSR2005-00009; SEP2005-00047; ARC2005-00027

Location: South side of NE 134TH Street, east side of NE 27th Avenue

Request: The applicant is requesting site plan approval for a 7,825 square foot restaurant on an approximately 1.18 acre lot located in the Highway Commercial (CH) zoning district.

Applicant: Columbia Rim Construction
PMB Box 204
13023 Hwy 99, Suite 7
Vancouver, WA 98686-2741
(360) 687-9650; (360) 687-7618 fax
mike@crccorporation.com

Contact Person: Landerholm Law Firm
P.O. Box 1086
Vancouver, WA 98666
(360) 696-3312; (360) 696-2122 fax
randy.printz@landerholm.com

Property Owner: Same as applicant

Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. However, the proposal may already include impact mitigation measures in conformance with adopted development standards and applicable laws noted below. In addition, the development review process may result in mitigation measures being incorporated or required as a condition of approval. A copy of the combined Development Review/SEPA Determination Staff Report, when completed, will be available for viewing at the Customer Service Center, 1300 Franklin Street, Vancouver, and may be obtained upon request.

A SEPA threshold determination is required by state law and Clark County Code (CCC), Section 40.570.040. Based on a review of the submitted application materials, the County expects to issue a Determination of Non-Significance (DNS) for the proposal pursuant to the "optional DNS process" allowed by state law and CCC 40.570.040(D).

Staff Contact: Alan Boguslawski (360) 397-2375 ext 4921

Neighborhood Contact: Fairgrounds Neighborhood Association
Bridget Schwartz, President
2110 NW 179th Street
Ridgefield, WA 98642
(360) 573-5873
bridget@bridge-i-t.com

Legal Description of Property: Tax Lot 1/3 (186809) located in the NE Quarter of Section 26, Township 3 North, Range 1 East of the Willamette Meridian

Plan/Zone Designation: General Commercial / Highway Commercial (CH)

Approval Standards/Applicable Law:

Clark County Code Sections: 15.12 (Uniform Fire Code), 40.230.010 (Commercial Districts), 40.320 (Landscaping & Screening), 40.340 (Parking & Loading), 40.350 (Transportation & Circulation), 40.360 (Solid Waste & Recycling), 40.370 (Sewer and Water), 40.380 (Stormwater & Erosion Control), 40.500 (Procedures), 40.510.020 (Type II Process), 40.520.040 (Site Plan Review), 40.570 (SEPA), and 40.610 & 40.620 (Impact Fees).

Application & Fully Complete Date:

Application Filed: February 17, 2005
Fully Complete: March 10, 2005

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are

possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be mitigated through conditions of approval), or;
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type II Applications are made within 78 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information. Information regarding this application can be obtained by contacting , at (360) 397-2375, Ext. , or the Public Service Center, Development Services Division, 1300 Franklin Street, Vancouver, Washington. Office hours are from 8:00-5:00 p.m., Monday through Friday.

Note: If an accurate mailing address for those submitting comment is not included, they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

Appeals:

Appeals of the SEPA threshold determination must be made in writing and accompanied by a **\$191** appeal fee, within fourteen (14) calendar days of the issuance of the threshold determination. NOTE: This notice does NOT constitute a threshold determination. It is only the notice of a potential determination that will be made after the comment period expires.

Appeal procedures for SEPA decisions can vary according to the type of decision being reached. Please contact the Community Development Department with questions about appeals.

Information Available on the County Web Page:

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions):
(<http://www.clark.wa.gov/commdev/development/proposedev.html>)
- Pre-Application Conferences and Public Land Use Hearing Agendas:
(<http://www.clark.wa.gov/commdev/development/meetings.html>)
- Applications and Information Handouts for each Type of Land Use Permit:
(<http://www.clark.wa.gov/commdev/development/typespermits.html>)

Public Comment:

The public is encouraged to comment on this proposal. Comments received by the closing date noted below will be considered in the final SEPA threshold determination and development review staff report. This notice is intended to inform potentially interested parties about the application and invite written comments regarding any concerns.

No additional comment period will be provided, unless probable significant environmental impacts are identified during the review process that would require additional study or special mitigation.

Anyone who submits comments to the County in response to this notice will be considered a party of record and will be mailed a copy of that staff report and determination.

Please address your comments to:

Attn: Alan Boguslawski
Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>
Or contact alan.boguslawski@clark.wa.gov

Date of this Notice: March 24, 2005

<u>Closing Date for Public Comments:</u> April 7, 2005

(This notice is being provided to agencies with jurisdiction, including the Department of Ecology, affected tribes, and local agencies whose services would be impacted by implementation of this proposal.)

Attachments:

- Copy of Vicinity Map
- Copy of Proposed Preliminary Plan